

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

## ORDER

WOLF, D.J.

May 18, 2020

The First Circuit has remanded this case to this court for the limited purpose of implementing its May 15, 2020 Indicative Ruling. See Dkt. No. 216. Accordingly, for the reasons stated at the May 15, 2020 hearing, it is hereby ORDERED that the Bureau of Prisons shall as promptly as possible again test defendant Robert Pena for the COVID-19 virus and report the results as promptly as possible to the court. If Pena again tests negative, the court will modify his sentence to time-served, and order his immediate release to home confinement on the terms stated in the May 15, 2020 Order. See Dkt. No. 210.

Mark P. Way  
UNITED STATES DISTRICT JUDGE